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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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(to be used for all correspondence after initial filing)

Application Number	10/026,331
Filing Date	December 21, 2001
First Named Inventor	Yasumichi HITOSHI et al.
Group Art Unit	1641
Examiner Name	To Be Assigned
Attorney Docket Number	021044-001310US

Total Number of Pages in This Submission

4

## ENCLOSURES (check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Postcard |
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Annette S. Parent	Reg. No. 42,058
Signature		
Date	July 23, 2002	

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On July 23, 2002

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By: *Maranda J. Goff*



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yasumichi HITOSHI et al.

Application No.: 10/026,331

Filed: December 21, 2001

For: MRE11: MODULATION OF  
CELLULAR PROLIFERATION

Examiner: To Be Assigned

Art Unit: 1641

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and reference cited is prior art merely because it is in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicants believe that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Annette S. Parent

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/026,331
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Art Unit	1641
Examiner Name	To Be Assigned
Attorney Docket Number	021044-001310US

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**U.S. PATENT DOCUMENTS**

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

**OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	FUKUDA, T. et al. "Alterations of the Double-strand Break Repair Gene MRE11 in Cancer," <i>Cancer Res.</i> , January 1, 2001, pp. 23-26, Vol. 61.	
	2	HOPFNER, K. et al. "Structural Biochemistry and Interaction Architecture of the DNA Double-strand Break Repair MRE11 Nuclease and RAD50-ATPase," <i>Cell</i> , May 18, 2001, pp. 473-485, Vol. 105.	
	3	KIM, K. K. et al. "Mouse RAD50 has Limited Epitopic Homology to p53 and is Expressed in the Adult Myocardium," <i>J. Biol. Chem.</i> November 15, 1996, pp. 29255-29264, Vol. 271, No. 46.	
	4	LOMBARD, D. B. AND GUARENTE, L. "Nijmegen Breakage Syndrome Disease Protein and MRE11 at PML Nuclear Bodies and Meiotic Telomeres," <i>Cancer Res.</i> , May 1, 2000, pp. 2331-2334, Vol. 60.	
	5	PAULL, T. T. AND GELLERT, M. "The 3' to 5' Exonuclease Activity of MRE11 Facilitates Repair of DNA Double-strand Breaks," <i>Molecular Cell</i> , June 1998, pp. 969-979, Vol. 1.	
	6	PETRINI, J. H. L. "DNA Repair '99: The Mammalian MRE11-RAD50-NBS1 Protein Complex: Integration of Functions in the Cellular DNA-Damage Response," <i>Am. J. Hum. Genet.</i> , 1999, pp. 1264-1269, Vol. 64.	
	7	STEWART, G. S. et al. "The DNA Double-Strand Break Repair Gene hMRE11 is Mutated in Individuals with an Ataxia-Telangiectasia-like Order," <i>Cell</i> , December 10, 1999, pp. 577-587, Vol. 99.	

Examiner  
SignatureDate  
Considered

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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